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003/014

Appln. No. 10/625,252
Amendment dated November 26, 2008
Reply to Office Action mailed October 15, 2008

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This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims (deleted text being struck through and added text being underlined):

1. (Currently Amended) A method for providing a real-time marketing opportunity to third parties during a sales transaction between a customer and a seller for purchasing a product of the seller in a primary order, the real-time marketing opportunity being offered by the seller of the product, the method comprising:

establishing a communication connection between the seller and the third parties;

determining an occurrence of the sales transaction including the primary order for the product of the seller;

issuing, by the seller during the occurrence of the sales transaction, an alert over the established connection to the third parties that the sales transaction is in progress and a bidding process is open for soliciting bids on the real-time marketing opportunity;

establishing a time duration for the bidding process associated with the real-time marketing opportunity;

receiving, by the seller during the occurrence of the sales transaction, one or more bids from one or more of the third parties for the real-time marketing opportunity;

determining a winning bid for the real-time marketing opportunity included in the bidding process based on the one or more bids raised;

including, by the seller during the occurrence of the sales transaction, the real-time marketing opportunity corresponding to the winning bid ~~such that the customer is capable of taking advantage of the real-time marketing opportunity as a part of the primary order~~, the real-time marketing opportunity including an offer made to the customer to be included in the sales transaction if accepted;

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permitting the customer to take advantage of the one or more marketing opportunities as a part of the sales transaction prior to the sales transaction for the product of the seller being completed; and

completing the sales transaction between the seller and the customer for the product, and if the customer takes advantage of the offer of the real-time marketing opportunity, processing the offer of the real-time marketing opportunity in the sales transaction.

2. (Cancelled)

3. (Original) The method of claim 1, wherein the one or more real-time marketing opportunities include an opportunity to provide one or more of: a peripheral, a promotion, a download, and an offer, to be included in the transaction for the purchase of the product.

4. (Cancelled)

5. (Previously Presented) The method of claim 1, wherein the step of establishing a communication connection further includes:

offering general information associated with the one or more real-time marketing opportunities on an Internet site associated with the seller, and

allowing the third parties to establish a communication connection with the seller over the Internet site.

6. (Previously Presented) The method of claim 1, wherein the step of establishing a communication connection further includes:

offering general information associated with the one or more real-time marketing opportunities via a telephone conversation with the seller; and

allowing the third parties to establish a communication connection with the seller over the Internet site.

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7. (Currently Amended) An apparatus for providing a real-time marketing opportunity to third parties during a sales transaction between a customer and a seller for purchasing a product of the seller in a primary order, the real-time marketing opportunity being offered by the seller of the product, the apparatus comprising:

a network; and

a processor coupled to the network, the processor being configured to:
establish a communication connection between the seller and the third parties over the network;

determine an occurrence of the sales transaction including the primary order for the product of the seller;

issue, by the seller during the occurrence of the sales transaction, an alert over the established connection to the third parties that the sales transaction is in progress and a bidding process is open for bidding on the real-time marketing opportunity;

establish a time duration for the bidding process associated with the real-time marketing opportunity;

receive, by the seller during the occurrence of the sales transaction, one or more bids from one or more third parties for the real-time marketing opportunity;

determine a winning bid for each of the real-time marketing opportunity included in the bidding process based on the one or more bids raised;

include, by the seller during the occurrence of the sales transaction, the real-time marketing opportunity corresponding to the winning bid, the real-time marketing opportunity including an offer made to the customer to be included in the sales transaction if accepted, the real-time marketing opportunity being made in a manner such that the customer is capable of taking advantage of the real-time marketing opportunity as a part of the primary order, the real-time

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marketing opportunity including an offer made to the customer to be included in the sales transaction if accepted;

permit the customer to take advantage of the one or more marketing opportunities as a part of the sales transaction prior to the sales transaction for the product of the seller being completed; and

complete the sales transaction between the seller and the customer for the product, and if the customer takes advantage of the offer of the real-time marketing opportunity, processing the offer of the real-time marketing opportunity in the sales transaction.

8. (Cancelled)

9. (Original) The apparatus of claim 7, wherein the one or more real-time marketing opportunities include an opportunity to provide one or more of a group consisting of a peripheral, a promotion, a download, and an offer, to be included in the transaction for the purchase of the product.

10. (Currently Amended) The apparatus of claim [[[8]]] 7, wherein the one or more real-time marketing opportunities include an opportunity to provide one or more of a group consisting of a peripheral, a promotion, a download, and an offer, to be included in the transaction for the purchase of the product.

11. (Previously Presented) The apparatus of claim 7, wherein the processor in establishing a communication connection is further configured to:

offer general information associated with the one or more real-time marketing opportunities on an Internet site associated with the seller; and

allow the third parties to establish a communication connection with the seller over the Internet site.

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12. (Previously Presented) The apparatus of claim 7, wherein the processor in establishing a communication connection is further configured to:

offer general information associated with the one or more real-time marketing opportunities via a telephone conversation with the seller; and

allow the third parties to establish a communication connection with the seller over the Internet site.

13. (Currently Amended) An article of manufacture for providing a real-time marketing opportunity to third parties during a sales transaction between a customer and a seller for purchasing a product of the seller in a primary order, the real-time marketing opportunity being offered by the seller of the product, the article of manufacture comprising:

a computer readable medium; and

instructions carried on the computer readable medium, the instructions being readable by a processor, and the instructions causing a processor to:

establish a communication connection between the seller and the third parties over a network;

determine an occurrence of the sales transaction including the primary order for the product of the seller;

opening a bidding process for bidding on the real-time opportunity for marketing to the customer purchasing the product to be included with the product in the primary order of the transaction for the purchase of the product;

issue, by the seller during the occurrence of the sales transaction, an alert over the established connection to the third parties that the sales transaction is in progress and the bidding process is open for bidding;

establish a time duration for the bidding process associated with the real-time marketing opportunity;

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receive, by the seller during the occurrence of the sales transaction, one or more bids from one or more of the third parties for the real-time marketing opportunity and

determining a winning bid for the real-time marketing opportunity included in the bidding process based on the one or more bids raised;

include, by the seller during the occurrence of the sales transaction, the real-time marketing opportunity corresponding to the winning bid, the real-time marketing opportunity including an offer made to the customer to be included in the sales transaction if accepted, the real-time marketing opportunity being made in a manner such that the customer is capable of taking advantage of the real time-marketing opportunity as a part of the primary order for the product of the seller;

permit the customer to take advantage of any offers in the marketing opportunity as a part of the primary order for the product of the select in the sales transaction;

receive from the customer, during the sales transaction, a response to an offer made as part of the marketing opportunity; and

complete the sales transaction between the seller and the customer for the product and any offer made as a part of the marketing opportunity, and if the customer takes advantage of the offer of the real-time marketing opportunity, processing the offer of the real-time marketing opportunity in the sales transaction.

14. (Cancelled)

15. (Original) The article of manufacture of claim 13, wherein the one or more real-time marketing opportunities include an opportunity to provide one or more of a group consisting of a peripheral, a promotion, a download, and an offer, to be included in the transaction for the purchase of the product.

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16. (Currently Amended) The article of manufacture of claim [[[14]]] 13, wherein the one or more real-time marketing opportunities include an opportunity to provide one or more of a group consisting of a peripheral, a promotion, a download, and an offer, to be included in the transaction for the purchase of the product.

17. (Previously Presented) The article of manufacture of claim 13, wherein the instructions in causing the processor to establish a communication connection further cause the processor to:

offer general information associated with the one or more real-time marketing opportunities on an Internet site associated with the seller; and

allow the third parties to establish a communication connection with the seller over the Internet site.

18. (Previously Presented) The article of manufacture of claim 13, wherein the instructions in causing the processor to establish a communication connection further cause the processor to:

offer general information associated with the one or more real-time marketing opportunities via a telephone conversation with the seller; and

allow the third parties to establish a communication connection with the seller over the Internet site.

19. (Previously Presented) The method of claim 1, wherein the one or more real-time marketing opportunities includes an opportunity to provide an offer, and additionally comprising the step of communicating the offer to the customer during the occurrence of the sales transaction.

20. (Previously Presented) The method of claim 1, wherein the one or more real-time marketing opportunities includes an opportunity to provide a download of a software program, and additionally comprising the step of offering the download of the software program to the customer during the occurrence of the sales transaction.

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21. (Previously Presented) The method of claim 1, wherein the one or more real-time marketing opportunities includes an opportunity to provide a peripheral device that is peripheral to the product being purchased in the sales transaction, and additionally comprising the step of including the peripheral device in the sales transaction for the product during the occurrence of the sales transaction.

22. (Previously presented) The method of claim 1, additionally comprising permitting the customer to take advantage of the one or more marketing opportunities as a part of the sales transaction prior to the sales transaction being completed.

23. (Previously presented) The method of claim 1, additionally comprising receiving from the customer, during the sales transaction, a response to an offer made as part of the one or more marketing opportunities such that taking advantage of the offer is included as a part of the sales transaction .

24. (Cancelled)